

SEC. 607. FORGIVENESS OR OFFSET OF OVERPAYMENT OF RETIRED PAY PAID TO A JOINT ACCOUNT FOR A PERIOD AFTER THE DEATH OF THE RETIRED MEMBER OF THE ARMED FORCES.

(a) WHEN PAYMENT DEPOSITED TO JOINT ACCOUNT.—Section 2771 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) In the case of overpayment of retired or retainer pay, arising from payment of such retired or retainer pay for any period after the date of the death of a recipient through the last day of the month in which such death occurs, if such payment is electronically deposited in an accredited financial institution to a joint account bearing the name of the decedent and another individual who is the decedent’s designated beneficiary under subsection (a)(1), the Secretary of Defense—

“(1) if the decedent is an individual to whom section 1448 of this title applies, shall elect to—

“(A) forgive the overpayment on behalf of the United States; or

“(B) offset the overpayment pursuant to section 1450(n) of this title; or

“(2) if the decedent is not an individual to whom section 1448 of this title applies, shall forgive the overpayment on behalf of the United States.”.

(b) COORDINATION WITH SURVIVOR BENEFIT PLAN.—Section 1450 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “, or that applies under subsection (n)” after “under subsection (j)”;

(2) by adding at the end the following new subsection:

“(n) SPECIAL RULE IN CASE OF CERTAIN FINAL RETIRED PAY OVERPAYMENT.—In a case described in section 2771(e) of this title, if the individual described in that subsection other than the decedent is the beneficiary of the decedent under the Plan, each of the first 12 payments, following the death of the decedent, of the annuity payable to the decedent’s beneficiary under the Plan, shall be reduced by one-twelfth of such overpayment.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to payments made to persons who die on or after the date of the enactment of this Act.

SA 3883. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. DISBURSEMENT OF FOREIGN MILITARY FINANCING FUNDS FOR EGYPT TO FOREIGN MILITARY SALES TRUST FUND.

Notwithstanding any other provision of law, funds appropriated pursuant to the Foreign Military Financing Program for assistance for Egypt for fiscal years 2021 and 2022 shall be disbursed to the Foreign Military Sales Trust Fund.

SA 3884. Mr. DURBIN submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON ALLEGATIONS OF WAR CRIMES AND TORTURE COMMITTED BY UNITED STATES CITIZENS IN LIBYA.

(a) IN GENERAL.—Not later than 180 days after receiving a credible allegation of the commission of a covered offense, including from a nongovernmental organization that monitors violations of human rights, the Attorney General, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on such allegation, including a determination as to whether the Attorney General will review or consider reviewing such allegation for potential criminal investigation, and a description of any challenges to prosecution.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OFFENSE.—The term “covered offense” means an offense under section 2340A, 2441, or 2442 of title 18, United States Code, committed in Libya by or at the order of a United States citizen.

SA 3885. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON INCIDENTS OF ARBITRARY DETENTION, VIOLENCE, AND STATE-SANCTIONED HARASSMENT BY THE GOVERNMENT OF EGYPT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report on incidents of violence against, and arbitrary detention and state-sanctioned harassment of, United States citizens, individuals in the United States, and family members of such citizens and individuals carried out by the security agencies of the Government of Egypt in Egypt or the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed description of any such incident during the three-year period imme-

diately preceding the date on which the report is submitted.

(2) A determination of whether such incidents constitute a pattern of acts of intimidation or harassment.

(3) A description of any action taken by the Secretary of State to meaningfully deter such incidents.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex with respect to the elements described in paragraphs (2) and (3) of subsection (b) if such classified annex is provided separately.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 3886. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4301 for Operation and Maintenance, Defense-wide relating to Administrative and Service-Wide Activities, in the item relating to Defense Security Cooperation Agency, insert after the item relating to AFRICOM UFR—AFRICOM the following:

BALTIC SECURITY INITIATIVE	[175,000]
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SA 3887. Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or